

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

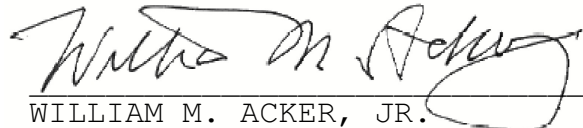
JEANNETTE LAWRENCE, et al.,)	
)	
Plaintiffs,)	
)	Civil Action No.
v.)	09-cv-00837-RRA
)	
CLARENCE WILSON,)	
ALLSTATE INSURANCE)	
COMPANY, UNITED STATES)	
DEPARTMENT OF HEALTH AND)	
HUMAN SERVICES-MEDICARE)	
)	
Defendants.)	

Memorandum Opinion

On May 13, 2009, the magistrate, pursuant to the parties' request, severed this matter and remanded the cases of all but one plaintiff. The remaining parties failed to file the report required of them by Rule 26(f) of the Federal Rules of Civil Procedure. On August 4, 2009, the magistrate reminded the parties of their obligations regarding that report. In that same order, the magistrate warned that any defendant not served within 130 days of the filing of the complaint would be dismissed. No report has yet been filed. Too, service has not yet been made upon two of the defendants in this matter.

On January 12, 2010, the magistrate recommended that this matter be dismissed for failure to prosecute. No objections have been filed to that recommendation. Having carefully reviewed *de novo* the entire court file, including the report and recommendation, the undersigned is of the opinion that the magistrate's recommendation should be and hereby is APPROVED and ADOPTED. The undersigned EXPRESSLY FINDS that this case should be dismissed for failure to prosecute. An appropriate order will be entered.

DONE this 1st day of February, 2010.


WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE